UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/50/76
31 January 1995
ENGLISH
ORIGINAL: RUSSIAN

Fiftieth session

HUMAN RIGHTS QUESTIONS

Letter dated 27 January 1995 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

In accordance with General Assembly resolution 48/155 of 20 December 1993, I have the honour to transmit herewith the text of the statement issued by the Ministry of Foreign Affairs of the Russian Federation on 24 January 1995 concerning the adoption of the Law on Citizenship by the State Assembly of the Republic of Estonia.

I should be grateful if you would have the text of the statement circulated as an official document of the fiftieth session of the General Assembly under the agenda item entitled "Human rights questions".

(Signed) S. LAVROV

95-02868 (E) 020295 020295 030295

ANNEX

Statement issued by the Ministry of Foreign Affairs of the Russian Federation on 24 January 1995 concerning the adoption of the Law on Citizenship by the State Assembly of the Republic of Estonia

Estonia has taken yet another regrettable step by enshrining in law the policy being pursued by the authorities of that country which aims to discriminate against Russian-speaking inhabitants and violate their fundamental rights.

On 19 January 1995, the State Assembly of the Republic of Estonia adopted a Law on Citizenship which in comparison with current legislation introduces substantially harsher conditions for acquiring citizenship through naturalization, increases residential qualifications, and imposes much more stringent requirements for knowledge of the Estonian language. In practice, the application of this law deprives a large part of the Russian-speaking population of the opportunity to acquire Estonian citizenship and prevents non-Estonian citizens from integrating naturally.

A number of provisions of the Law on Citizenship are at variance with contemporary trends regarding legislation on citizenship in European countries, and could result in the wholesale loss of citizenship for permanent residents of the country. The adoption of the law violates the Estonia obligations under the Treaty on Basic Relations between Estonia and the Russian Federation concluded on 12 January 1991.

Estonian parliamentarians have therefore failed to heed the recommendations of experts from European countries and have ignored numerous appeals from social organizations in the country.

On balance, the adoption of the new Law on Citizenship could exacerbate the already difficult relations between ethnic groups in the country.

Tallinn should clearly understand that ratification of this law in its present form cannot fail to complicate Russian-Estonian relations. The Russian Federation reserves the right to take additional measures to protect the rights and interests of ethnic Russians living in Estonia.

What is at issue is the protection of the rights of hundreds and thousands of people whose lives will be very adversely affected by the adoption of the Law on Citizenship in Estonia, and the Ministry of Foreign Affairs of the Russian Federation hopes that competent international organizations and member States of the Organization for Security and Cooperation in Europe will not overlook this decision by the legislators of the Estonian Republic.

UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/50/77
~~S/1995/93~~
31 January 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 31 January 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the declaration of the Croatian Sabor (Parliament) of 27 January 1995, concerning the decision of the President of the Republic of Croatia, Mr. Franjo Tudjman, on the mandate of the United Nations Protection Force (UNPROFOR) in Croatia of 12 January 1995.

I would kindly request your assistance in distributing the present letter and its annex as a document of the fiftieth session of the General Assembly under the item entitled "The situation in the occupied territories of Croatia", and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

95-02935 (E) 010295 020295

/...

Annex

Declaration dated 27 January 1995 by the House of Representatives of the Parliament of Croatia

Recalling its previous conclusions and resolutions, along with the directive of 23 September 1994 and the decision of 7 October 1994,

Having heard the report on the termination of the UNPROFOR mandate in the Republic of Croatia, which was submitted by the Deputy Prime Minister and Foreign Minister, Dr. Mate Granić, on behalf of the Government of the Republic of Croatia,

The House of Representatives of the Parliament of the Republic of Croatia (Sabor), at its session which was held on 27 January 1995, passed the following

DECLARATION

1. After an extensive debate following the report on the termination of the UNPROFOR mandate in the Republic of Croatia by the Government, the Parliament of the Republic of Croatia (Sabor) concludes that the United Nations Protection Force (UNPROFOR) has failed to implement the directives of the Sabor as specified by a special resolution dated 23 September 1994, and that the Sabor endorses the decision of the President of the Republic, Dr. Franjo Tudjman, regarding the termination of the UNPROFOR mandate as of 31 March 1995.

2. The Sabor of the Republic of Croatia supports and accepts the basic assessments from the report submitted by the Deputy Prime Minister and Foreign Minister, Dr. Mate Granić, on behalf of the Government of the Republic of Croatia on 25 January 1995, regarding the termination of the UNPROFOR mandate on the territory of the Republic of Croatia, the ineffectiveness of UNPROFOR and the reasons for terminating its mandate.

3. In the light of overwhelming Croatian public support and the support of almost all of the parliamentary parties regarding the termination of the UNPROFOR mandate, the Sabor of the Republic of Croatia reiterates that negotiations, as well as the implementation of all basic provisions of United Nations Security Council resolutions, i.e. a peaceful reintegration of occupied territories, remain a permanent Croatian policy objective and orientation.

Such a solution can and ought to be sought in strict conformity with the principle of the sovereignty and territorial integrity of the Republic of Croatia, the Constitution of the Republic of Croatia, and the constitutional law on human rights and freedoms and the rights of national and ethnic communities or minorities in the Republic of Croatia and in compliance with the high European standards of human rights protection, minority rights and ethnic community rights.

Croatia's decision, therefore, cannot and must not be interpreted as the opening of a path to the war option. On the contrary, the main objective of the

decision in question is to accelerate the peace process in the interest of all peoples and overall peace, stability and security in the region of south-eastern Europe.

4. The Sabor emphatically rejects all the pressures that are being exerted on the Republic of Croatia with the purpose of having it change the decision and calls once again for negotiations on peaceful reintegration to be resumed, hoping that the negotiations would lead to territorial integrity and the rule of law being achieved in all parts of the Croatian State, along with the normalization of overall Croatian-Serbian relations.

5. The Sabor binds the Government of the Republic of Croatia to work out a proposed programme and measures for a peaceful reintegration of the occupied territories of the Republic of Croatia on the basis of this Declaration, the Constitution of the Republic of Croatia and the constitutional law.

(Signed) Dr. Nedjeljko MIHANOVIĆ
President of the House of
Representatives of the Sabor

UNITED NATIONS **A E**

General Assembly
Economic and Social Council

Distr.
GENERAL

A/50/78
E/1995/11
2 February 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
HUMAN RIGHTS QUESTIONS:
IMPLEMENTATION OF HUMAN
RIGHTS INSTRUMENTS

ECONOMIC AND SOCIAL COUNCIL
Substantive session of 1995
SOCIAL, HUMANITARIAN AND
HUMAN RIGHTS QUESTIONS:
HUMAN RIGHTS QUESTIONS

Letter dated 1 February 1995 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I have the honour to present to you, in your capacity as depository of multilateral treaties, the position of my Government concerning document E/CN.4/1995/80 of 28 November 1994, entitled "Status of the international covenants on human rights".

The annex to that document deals with the status of succession, accession or ratification of human rights treaties by States successors to the former Socialist Federal Republic of Yugoslavia, the former Union of Soviet Socialist Republics and the former Czechoslovakia. On the list of States successors to the former Socialist Federal Republic of Yugoslavia, parties to human rights treaties, the dates of receipt of the instruments of ratification of the former Socialist Federal Republic of Yugoslavia have been indicated as the dates of receipt of the relevant instruments of the Federal Republic of Yugoslavia (Serbia and Montenegro), under the name "Yugoslavia". The Government of the Republic of Macedonia objects to this indication and regards it as a claim of the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue the personality of the former Socialist Federal Republic of Yugoslavia, including all its internal, international, legal and political aspects.

I should like to reiterate that in accordance with the relevant resolutions of the United Nations, General Assembly resolution 47/1, and Security Council resolutions 757 (1992) and 777 (1992), concerning this issue, the opinions of the Arbitration Commission of the International Conference on the Former Yugoslavia, in particular opinions No. 8, No. 10 and No. 11 (see A/48/874-S/1994/189, annex) and the general rules of international law on the succession of States, the Federal Republic of Yugoslavia (Serbia and Montenegro) is not -

and cannot be - considered the sole and automatic successor of the former Socialist Federal Republic of Yugoslavia.

My Government wishes to stress the fact that the United Nations and other organizations that belong to the United Nations system have confirmed the aforementioned legal status of the Federal Republic of Yugoslavia (Serbia and Montenegro) relating to treaties and to membership in international organizations.

Other international organizations depositaries of multilateral treaties (i.e., the World Health Organization, the Council of Europe, the Customs Cooperation Council, etc.), as well as Governments depositaries of multilateral treaties (i.e. the Treaty on the Non-Proliferation of Nuclear Weapons) have also acted in accordance with the above-mentioned United Nations decisions and international practice.

Numerous States have also accepted such general practice and in their relations with the Federal Republic of Yugoslavia (Serbia and Montenegro) they do not accept the automatic application of bilateral treaties concluded with the former Socialist Federal Republic of Yugoslavia and have terminated their application.

Having all this in mind, I should like to draw your attention to the fact that document E/CN.4/1995/80 is in clear contravention of current United Nations practice concerning the status of the Federal Republic of Yugoslavia (Serbia and Montenegro) in relation to treaties of the predecessor State. Without any legal basis it is - for the first time - listing the Federal Republic of Yugoslavia (Serbia and Montenegro) as an automatic successor to treaties of the former Socialist Federal Republic of Yugoslavia. I, therefore, deem it necessary in accordance with the aforementioned facts and argumentation that Your Excellency circulates a corrigendum to document E/CN.4/1995/80.

I should like to ask your kind assistance in circulating the present letter as a document of the fiftieth session of the General Assembly, under the item entitled "Human rights questions: implementation of human rights instruments" and of the 1995 substantive session of the Economic and Social Council, under the item entitled "Social, humanitarian and human rights questions: human rights questions".

(Signed) Denko MALESKI
Ambassador Extraordinary
and Plenipotentiary